

**IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA**

JONATHAN PIERSOL

Plaintiff,

v.

GEORGIA BOARD OF REGENTS OF THE  
UNIVERSITY SYSTEM OF GEORGIA,

Defendant.

CIVIL ACTION

FILE NO. **2023CV386762**

**JURY TRIAL REQUESTED**

**NOTICE OF LAWSUIT AND REQUEST TO WAIVE SERVICE OF SUMMONS**

TO: Georgia Board of Regents of the University System of Georgia  
c/o Chris McGraw, Esq., Vice Chancellor of Legal Affairs

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the Complaint in this action is attached to this notice. The Complaint has been filed in the Superior Court of Fulton County for the State of Georgia and has been assigned case number **2023CV386762**.

This is not a formal summons or notification from the Court, but rather my request pursuant to O.C.G.A. § 9-11-4 that you sign and return the enclosed Waiver of Service in order to save the cost of serving you with a judicial summons and an additional copy of the Complaint. The cost of service will be avoided if I receive a signed copy of the waiver within **thirty (30) days** (or **sixty (60) days** if located outside any judicial district of the United States of America) after the date designated below as the date on which this Notice of Lawsuit and Request for Waiver of Service of Summons is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the Waiver of Service is also attached for your records. **YOU ARE ENTITLED TO CONSULT WITH YOUR ATTORNEY REGARDING THIS MATTER.**

If you comply with this request and return the signed Waiver of Service, the waiver will be filed with the Court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed except that you will not be obligated to answer or otherwise respond to the complaint within **60 days** from the date designated below as the date on which this notice is sent (or within **90 days** from that date if your address is not in any judicial district of the United States of America).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Georgia Rules of Civil Procedure and then, to the extent authorized by those rules, I will ask the court to require you (or the party on whose behalf you are addressed) to pay the full cost of such service. In that connection, please read the statement concerning the duty of parties to avoid unnecessary costs of service of summons,

which is set forth on the Notice of Duty to Avoid Unnecessary Costs of Service of Summons enclosed herein.

I affirm that this Notice of Lawsuit and Request for Waiver of Service of Summons is being sent to you on behalf of the Plaintiff on this 10th day of October 2023.

/s/ Justin M. Scott

Justin M. Scott

RADFORD SCOTT LLP

160 Clairemont Avenue, Suite 610

Decatur, Georgia 30030

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Counsel for Plaintiff

**NOTICE OF DUTY TO AVOID UNNECESSARY COSTS OF SERVICE OF SUMMONS**

Section 9-11-4(d) of the Official Code of Georgia Annotated requires certain parties to cooperate in saving unnecessary costs of service of the summons and the pleading. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for such defendant's failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the Complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must, within the time specified on the waiver form, serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and also must file a signed copy of the response with the Court. If the answer is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.